

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JODY KRISS, et al.,

Plaintiffs,

-against-

BAYROCK GROUP LLC, et al.,

Defendants.
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13 Civ. 03905 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, by Order dated June 23, 2015, Plaintiffs Jody Kriss and Michael Ejekam voluntarily dismissed this action (“*Kriss I*”) without prejudice and were terminated as parties;

WHEREAS, by Order dated July 13, 2015, the remaining plaintiffs voluntarily dismissed their claims against all defendants without prejudice, and the case was terminated;

WHEREAS, on October 9, 2015, pursuant to Federal Rules of Civil Procedure 60(b) and 41(b), Defendant Sater moved to vacate Plaintiffs’ notices of voluntary dismissal without prejudice and to dismiss the action with prejudice;

WHEREAS, the parties subsequently filed papers in support of and in opposition to the motion, including a request by Plaintiff for leave to seek Rule 11 sanctions against Defendant Sater;


WHEREAS, on November 9, 2015, in the related case 10-cv-3959, *Kriss et al. v. BayRock Group LLC et al.* (“*Kriss I*”), the Court ordered the filing of the Second Amended Complaint; it is hereby

ORDERED that *Kriss II* is dismissed with prejudice, but without prejudice to the continued litigation of *Kriss I*. It is further

ORDERED that Plaintiffs' request for leave to seek Rule 11 sanctions is DENIED without prejudice to renewal at the conclusion of *Kriss I*.

The Clerk of Court is directed to close the motion at Dkt. No. 129.

Dated: November 16, 2015
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE